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July 19, 2005

Mr. Paul Dabbs
Statewide Planning Branch
Department of Water Resources
P.O. Box 942836
Sacramento, CA

Re: Comments on Draft Bulletin 160-05 - State Water Plan Update

Dear Mr. Dabbs:

On behalf of the 30 member counties of the Regional Council of Rural Counties (RCRC), RCRC appreciates the opportunity to comment on the Public Review Draft of the Bulletin 160-05, State Water Plan Update (State Water Plan).

As RCRC member counties contain approximately 46 percent of California's land mass, natural resources (agriculture, forestry, and recreation) are a key component of their economic base and their culture. RCRC member counties have regulatory and public trust responsibilities over the lands, surface waters, groundwater resources, fish and wildlife, and overall environmental quality within their respective jurisdictions. It is against this background of interests and responsibilities that our comments are submitted.

As you know, RCRC has been represented in the Bulletin 160-05 process by our consultant, John S. Mills who serves as a member of the Public Advisory Committee. RCRC appreciates that the development of the State Water Plan was carried out by a cooperative multi-agency effort in a fair, open and transparent public process. This process is one of the significant accomplishments of Bulletin 160-05.

RCRC recognizes that not all parties will agree with each of the 25 Resource Management Strategies contained in the State Water Plan. They do not need to do so. The State Water Plan presents a diverse set of resource management strategies to meet water-related resource management needs. It will be the task of the local and regional resource planners to develop a set of management strategies for each region that makes sense. This approach recognizes that the most efficient and cost effective solutions have been and are being planned and implemented at the local and regional level. RCRC commends the Department of Water Resources (DWR) leadership for making this appropriate course change in developing the first State Water Plan for the 21st Century.

RCRC has long supported local and regional watershed planning and restoration efforts throughout the State. It is a natural extension for RCRC to support integrated regional water

resource planning as this provides the opportunity for development of "ground up" solutions at the local and regional level. RCRC believes this will result in more effective overall solutions to meet local, regional, and state needs. Counties are well positioned to be important partners in the development and implementation of integrated regional plans.

Many water resources infrastructure facilities are owned, managed and regulated by the state and federal governments. It therefore follows that constructive participation by the state and federal governments in local and regional planning will be critical to developing and implementing integrated regional plans that complement state and federal efforts. The federal government is a major landholder in the state, and both the Department of Agriculture and the Department of Interior should be encouraged by the state to participate in local and regional planning efforts where appropriate.

Within RCRCs membership area there are a number of key regions with very important watersheds, and in some cases integral inter-regional water storage and delivery infrastructure. Some of these regions are: the Sacramento Valley watershed, the Trinity River watershed, the Klamath Basin watershed, the Upper Feather River watershed, the American River watershed, the upper San Joaquin River watershed, the Stanislaus River watershed, the Tuolumne River watershed and the Salton Sea Region. RCRC urges that the final State Water Plan underscore the importance of these as priority regions for focus and support.

As mentioned previously, counties are well positioned to be key partners in the development and implementation of integrated regional plans. Some of the resource management strategies contained in the Plan are land management based strategies and may require findings of consistency with local General Plans and implementing ordinances. Those discretionary approvals may also be subject to CEQA review at the county level. For example, agricultural land stewardship, conjunctive management and groundwater storage, ecosystem restoration, flood plain management, pollution prevention, recharge areas protection, surface storage, urban land use management, watershed management and water transfers are all resource management strategies that at least partially have local land use and/or regulatory implications. It is clear that local land management will become more intertwined with water resources planning and management than in the past. This will require new cooperative ventures with local and regional water agencies, as well as new demands on local county staff if the strategies are to be successfully implemented.

While interagency planning and integrated resources planning is cumulatively a cost effective approach, it will increase startup and ongoing costs to local government to effectively embrace and implement this effort. It will be necessary for the State to provide ongoing technical and fiscal support to make the integrated and cooperative approach of resources management work in every region of the State. Many of the State's rural regions will require technical support, planning resources, and project funds. The reality is that rural areas, while rich in land mass and resources, are often poor and financially limited from a population base standpoint. RCRC urges that this economic reality be reflected in the state formula for investing in planning efforts, and that DWR reexamine this issue within the increased regional focus of Bulletin 160-05 and Bulletin 160-10.

The State's ten hydrologic regions boundaries do not follow the State's political subdivision boundaries. Therefore, some counties are in more than one region. For example, Siskiyou County spans two hydrologic regions and Modoc County spans three hydrologic regions. Likewise, there are local water agencies that have boundaries that span more than one county. Similarly, groundwater basins can span multiple counties and be managed by multiple groundwater management entities. As a result, it must be understood that local cooperating entities will of necessity need to consider partnerships for cooperative planning and projects that recognize hydrologic/watershed functions and/or political boundaries.

The Plan recognizes that there is an annual ground water overdraft (statewide) of between one and two million acre feet per year. As noted earlier, counties have local ground water management and regulatory authority. Some counties have passed ordinances without ground water plans, some have both plans and ordinances and others have neither. Additionally, some counties cooperate with local water agencies, while others do not actively coordinate their efforts with the water agencies within their boundaries. Resolution of how each county will deal with groundwater management within the larger context of integrated regional resource planning will be challenging. Each local jurisdiction(s) relative authority will have to be exercised with an eye towards resolving the long-term overdraft of the State's groundwater. The DWR, through the Bulletin 160 process as well as the Bulletin 118 process, can provide data and planning assistance to local agencies and counties to assist in resolving the groundwater overdraft problem. The solution to groundwater overdraft is one of balance between groundwater pumping and recharge in the numerous groundwater basins throughout the State. DWR is urged to underscore this point in the final Plan and to continue this theme into the regional work of Bulletin 160-05 and 160-10.

California's water resource matters have historically been contentious. At a time when the State's water delivery and treatment system is clearly stretched to its limits in some areas, there could be areas of disagreement regarding resource utilization by individual regional plans. In addition, there is a potential for "double counting" of water resources by more than one region. RCRC urges that the DWR use the remaining time on Bulletin 160-05 as a proper venue to discuss the most productive manner for the DWR to provide oversight and leadership on assuring the integration of the various regional plans into a statewide plan which provides balance throughout the geographic areas of the State.

As each region develops its own regional plan, the DWR should also review the Plan and assist local resource managers with completing their final plans in such a fashion that the data gathered and modeled may be integrated by DWR into future revisions to the Bulletin 160 process, and if possible the Bulletin 118 process. The integration of planning efforts must include an integration of the collected data and standards for modeling.

Traditionally, water plans developed in the Bulletin 160 process have included a comparison of projected water use and the estimated water supply. These numbers were then used to estimate shortages or surplus supplies for the State. The so-call "gap" figure became controversial for various reasons including: any data for the future must be estimated and therefore the use of models is unavoidable; essential water supply and water demand data was limited in availability and what was available had quality, assumptions and documentation problems; there were

problems in accounting for reuse of water by downstream water users following return flows from upstream use; the presumption that all water demands were absolute; and, the failure to factor in the quality of water.

While utilizing these factors will make the development of the “gap” number significantly more complex, any simple statewide gap analysis which does not incorporate these factors will essentially be useless as a tool to water managers and other decision makers. The challenge of meeting regional shortages, even in a state context, in many cases requires “in region” solutions that are not reflected in the traditional “gap”.

RCRC recommends that if DWR develops a “gap” analysis in the remaining work on Bulletin 160-05, that the analysis consider the factors previously referenced. Further, we urge that the DWR work with the Advisory Committee to develop an analysis which focuses on the regions in a way that it can be utilized as a tool and as a benchmark to gauge relative success of regional planning and implementation programs.

In conclusion, RCRC believes the process used to develop the Plan has resulted in an overall approach and collection of resource strategies that is supportable by a majority of interested stakeholders. There are areas of disagreement which are unlikely to be resolved during the remaining work on Bulletin 160-05. RCRC believes that some of these disagreements may best be resolved at the local and regional level during the local and regional planning process.

On behalf of our membership, RCRC offers our ongoing assistance to DWR in resolving those topics raised in this letter, and others that may arise, in the common effort to meet our State’s water resources challenges.

Please contact Kathy Mannion, Director of Water and Power, at (916) 447-4806 or kmannion@rcrcnet.org if you have any questions.